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General Assembly
Tenth Emergency Special Session

Official Records

2nd plenary meeting
Thursday, 24 April 1997, 3 p.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 3.10 p.m.

Agenda item 5 (*continued*)

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The President: Before calling on the first speaker, I wish to remind delegations that the list of speakers will be closed at 4 p.m. this afternoon.

Mr. Owada (Japan): As a country which has been promoting the peace process in the Middle East through its active participation in the multilateral talks, Japan has been watching with grave concern the recent deterioration in the peace process. We in Japan are seriously concerned, because if the present vicious circle of mistrust and violence continues, there is a real danger that the peace process, which commenced in Madrid in 1991 and continued with such vigour and promise on the strength of the shared sense of mutual trust and collaboration of the parties involved, could be overwhelmed. Unfortunately, there are numerous such examples in the history of the region. It is absolutely essential that both parties concerned summon the courage to take concrete steps to implement the commitments that they made in Madrid, in Oslo and thereafter.

Since we learned about the decision of the Government of Israel to construct housing in the Har Homa, or Jabal Abu Ghneim, area of East Jerusalem, the Government of Japan has expressed its deep regret to the Government of Israel on a number of occasions, including that on which Prime Minister Hashimoto and Foreign Minister Ikeda met with Israeli Foreign Minister Levy on 27 February 1997. In the view of my Government, that act would have a serious, negative impact on the peace process. Nevertheless, the Government of Israel proceeded with the construction. While we deplore the tragic spiral of violence that we are now witnessing, beginning with the terrorist bomb attack by Palestinian extremists, it is the conviction of my Government that the source of this spiral is a sense of frustration and powerlessness that now permeates the region in the face of the impasse in the peace process since the tragic death of Prime Minister Yitzhak Rabin of Israel.

As recently as 8 April, three Palestinians were killed, and more than 100 Palestinians were wounded, as a result of clashes in Hebron city. We condemn all acts of violence and urge all those concerned to refrain from them. The modicum of trust between the parties that has been so carefully nurtured in the course of the peace process is being gravely endangered by such acts. It is extremely important that we restore and recreate an environment of trust and confidence by forgoing such acts, which can seriously jeopardize the peace process.

In the view of my delegation, the present situation is so seriously fraught with danger that no complacency about the future of the region can be allowed on the part of the parties directly involved, who should exercise the utmost caution and restraint in order not to frustrate the

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prospects for the future. Japan, as one of the most active participants in the multilateral talks, strongly urges the parties to leave no stone unturned in overcoming the difficulties lying in the way of negotiations. In order to salvage the peace process, the parties concerned must take a sober look at the long-term future of the region from the standpoint of their own interests in securing a stable environment for durable peace and prosperity in the region.

As a first step, in order to prevent the further deterioration of the situation on the ground and the possible derailment of the Middle East peace process, the Government of Japan urges Prime Minister Netanyahu of Israel and President Arafat of the Palestinian Authority to restart the process of cooperation on the basis of restored mutual confidence. Unless there is a degree of trust between the parties concerned, no compromise proposal, however balanced and reasonable, will gain acceptance by both sides.

It is precisely out of this concern about the present perilous situation that my Government decided to send a special envoy to the region recently, in its endeavour to persuade the leaders of the Israeli Government and the Palestinian Authority to reawaken to their grave responsibility and re-engage in a collaborative process for peace. The Deputy Minister for Foreign Affairs of Japan conveyed a special message from Prime Minister Hashimoto and urged that every effort should be made to rescue the peace process.

One way in which Japan feels it can contribute to sustaining the precarious peace process is by providing emergency assistance to the Palestinians so that social stability in Palestine may be maintained. We in Japan sincerely hope that this will contribute to preventing an environment of desperation, which is conducive to terrorism, and to enabling the Palestinian Authority to engage in the peace process with confidence.

Out of this consideration, the Government of Japan decided on 21 March upon an emergency grant aid totalling $11 million to assist the Palestinians, who are facing worsening economic difficulties as a result of the closure of the West Bank and the Gaza Strip imposed by the Israeli Government, with a view to financing projects for the creation of jobs in Hebron, Bethlehem and Gaza. This is but the most recent example of Japanese assistance to the Palestinians, which has reached $290 million since September 1993.

My Government fully concurs with many other Members in deploring the recent construction activities in East Jerusalem by the Israeli Government and has repeatedly stressed this point. I sincerely hope that Prime Minister Netanyahu will listen to the voice of the international community.

It is the considered view of my delegation, however, that the adoption of a General Assembly resolution containing collective measures would not necessarily be the best way to promote the peace process. A General Assembly resolution without the broadest possible support of the international community would fall short of achieving the desired purpose, which is to promote the peace process. One must give careful thought to the reality of the present situation and reflect upon what is the most rational thing the General Assembly can constructively achieve at this juncture.

If there is one thing which the General Assembly can do in order to contribute to rescuing the peace process from its deteriorated condition, it would be to send a strong, unanimous message from the international community to the parties involved to the effect that the parties should spare no effort in engaging in a genuine endeavour, in good faith, to revitalize the peace process. The international community, for its part, should stand ready to support and cooperate with such efforts. The Government of Japan is more than prepared to move in that direction.

Mr. Abu-Nimah (Jordan) (*interpretation from Arabic*): It gives me great pleasure to thank you, Mr. President, for convening this emergency special session of the General Assembly at the request of the Arab Group to discuss the illegal actions of Israel in East Jerusalem. This response is evidence of this body's understanding of the serious impasse in the peace process and of its keen interest, along with that of the international community, to discharge their responsibilities with regard to this issue.

The Security Council met twice — on 5-6 March and 21 March 1997 — to discuss this issue. Regrettably, it was unable to adopt the draft resolution that we had expected due to a veto. The General Assembly met for the same purpose. In all these meetings we clearly expressed the position of Jordan on this issue. I would like to reiterate our established position on this extremely serious and critical issue.

The Israeli Government took a decision to build a new settlement to the south of East Jerusalem, at Jabal Abu Ghneim. It initiated construction despite the condemnation of the General Assembly. The construction is taking place on land that is supposed to be returned by Israel to its legitimate Palestinian and Arab residents, within the framework of the peace process and on the basis of one of the main principles on which the peace process was built: land for peace. Jordan has declared, in accordance with Security Council resolution 242 (1967), its categorical rejection and condemnation of the Israeli decision because we consider Arab Jerusalem, as well as the rest of the West Bank, of which Jerusalem is an integral part, to be territory occupied since 1967.

The Israeli decision to establish this settlement entails grave risks and has serious ramifications and repercussions that we witness every day. It clearly runs counter to all the bases of the peace process and to the Madrid principle of land for peace. It also contradicts Security Council resolutions 242 (1967), which confirmed the inadmissibility of the acquisition of land by force, and 338 (1973), which, together with the former, represents the relevant frame of reference of the peace process.

This decision contradicts international law, the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War and The Hague Rules of 1907 and its annexes, as it represents a violation of private property through its confiscation and the expulsion of its owners. It represents a violation of all these instruments and of scores of resolutions of the Security Council and the General Assembly that expressed rejection of the unilateral measures taken by Israel concerning Jerusalem and of settlement activities in the occupied Arab territories.

The peace process has made important achievements since it was initiated in Madrid. The Arab side has shown its commitment to peace and has worked seriously to achieve it. Jordan signed a complete Treaty of Peace with Israel within the framework of the peace process in 1994. Jordan has complied in full with all the terms, obligations and requirements of that Treaty. The Palestinians and the Israelis reached the Oslo accords and other significant agreements, each of which represents a stage on the path towards final agreement and complete peace between the two sides. The last of these was the agreement on the partial withdrawal from the city of Hebron. There is no doubt about the commitment of the Palestinian side to what it has agreed and signed, or about its curbing all manifestations of violence and maintaining security in the areas under the control of the National Authority.

In addition, many Arab countries from outside the region established relations with Israel and opened all doors to cooperate and deal with it, on the basis of their support for peace and their keen interest in achieving it successfully. We hoped that these major achievements would be a growing asset that would contribute to further progress, culminating in the attainment of a comprehensive and lasting peace in order that the region could proceed towards economic, scientific and comprehensive development, thus entrenching peace and counteracting the effects of conflict and backwardness from which the region has suffered for so long.

However, things did not go in that direction, and fears increased. We had feared earlier that the peace process would stop; we now face real fears of losing what has been achieved. This has happened in more than one instance, especially with regard to those who have halted their normalization of relations with Israel in accordance with the resolutions of regional organizations.

The agreement between Israelis and Palestinians approved the deferment of some key issues, such as those of settlements, Jerusalem and refugees, to the final stage of negotiations so that the march of peace could begin smoothly. It is only natural the deferred questions should remain unchanged until the time comes for them to be negotiated. It is inconceivable that deferment should be taken as an opportunity to change facts in the interest of the occupying Power, which makes solutions more complicated and difficult and farther removed from the original basis — the agreement of all the parties.

On this basis, any action taken by Israel since the beginning of the peace process to change or modify the legal, political or demographic status of Jerusalem is tantamount to creating a *fait accompli* in order to impose it on the Arab side in the negotiations concerning the final status. This represents a prejudgement on the status of the Holy City before the beginning of the final status negotiations, which is unacceptable. This is not in the interest of the peace and security that we cherish, nor does it serve the peoples of the region or their aspirations to a better future in which stability, cooperation, respect and trust would prevail.

We reiterate, as we have stated on previous occasions before the Security Council and the General Assembly, that we are gravely concerned about the escalation of threats to the peace process resulting from the non-compliance of Israel with the principles underlying that process. This issue, which is being

discussed by the General Assembly, is not the first violation committed by Israel. Israel has persisted in its settlement activities in the Arab territories. Israel has not been committed to the implementation of the agreements it signed. The Israeli authorities have continued to carry out a policy of siege, closure, and confiscation of identity cards and citizenship papers. All these practices, the details of which were included in the statement made by the Permanent Observer of Palestine, represent a throwback for the region to the atmosphere that prevailed before peace, an atmosphere we thought we had put behind us.

Israel's continued confiscation of land and building of settlements shows clearly that it is not committed to fulfilling its obligations, that is to say, the return of the occupied territories to their owners in return for peace. How can peace be achieved? There is only one path to peace: full commitment to the principles underlying the peace process and the implementation of all that was agreed upon. We do not believe that peace can be achieved without the return of the occupied Arab territories and without the achievement of the legitimate aspirations of the Palestinian people within the framework of the agreements concluded.

We have stated previously, and we reiterate again here, our belief in peace and our conviction that the peace for which we strive is a necessity for all peoples and countries of the region, Israel included. We therefore appeal to the Assembly to discharge its responsibilities and to adopt a firm resolution considering the Israeli actions illegitimate and calling upon Israel to reverse them and to desist from all settlement activities in all their forms and from all other practices to which we have referred, in order to eliminate all obstacles standing in the way of peace.

We call upon the international community, and in particular the co-sponsors of the peace process, the member States of the European Union and all competent regional organizations, to take a stand against this settlement activity, to reject it and to prevent its implementation, in order to facilitate the path to peace and to enable the peace process to pick up from where it left off so that it may reach its final and desired objective.

Our commitment to peace and our keen interest in observing all its requirements is the only option for us. We will not falter or hesitate in our continuing efforts to achieve this goal. We know very well the fate that awaits the region if the desired success of the peace process is not achieved. However, peace cannot be achieved through the commitment of one party only; it will not endure unless it is the true option of all parties to the peace process and unless it is based on justice, on a mutual recognition of legitimate rights and on agreed-upon conditions.

Mr. Londoño-Paredes (Colombia) (*interpretation from Spanish*): When the successive agreements reached on the Middle East conflict within the framework of the Madrid Conference were announced between 1991 and 1995, a sense of satisfaction and general rejoicing spread throughout the international community. For the first time in many years, a solution seemed to be emerging to the worrisome and explosive situation in the Middle East, which on many occasions had been on the brink of becoming a conflict of major proportions, and which has brought bloodshed and suffering to millions of people.

The parties negotiated with extraordinary commitment and courage. It is not easy, in the search for a peaceful solution, to set aside positions that are deeply rooted in the hearts of the peoples and in the ideological platforms of very influential political groups. This attitude won the recognition of all, to the extent that the Nobel Peace Prize was awarded to the President of the Palestinian Authority, Yasser Arafat, and to the then-Prime Minister of Israel, Shimon Peres.

Therefore, when — as is the case now — a step backwards is taken in the fragile peace process, a feeling of concern grips the entire international community and the millions of men and women who still trust that their rights will be respected and who hope finally to live in peace. This is a heartfelt reality, not fiction.

It is understandable, therefore, that the very announcement by the Government of Israel that it would build a large housing complex in East Jerusalem prompted a justified Palestinian reaction. The tension in the Middle East immediately increased, and the optimistic view of progress towards peace was given a "cold shower". It would have been indeed a shock had the international community remained a passive observer of events.

The argument that the construction of a large housing complex in East Jerusalem — a city that has been for many centuries, and is today more than ever, the most sensitive spot in the entire world — is just a routine urban development project such as those being built in New York, Paris, Cairo, New Delhi or Bogota, is somewhat less than convincing to the international community.

Nor can it be argued that a case such as the Middle East conflict, in all its complexity, is simply a bilateral issue, and that the international community, and especially the United Nations, should remain on the sidelines. If any issue has held the interest of the Organization, it has been the question of the Middle East. The fact that the current dynamics of the process do not involve the 185 States Members of the Organization or any of its special envoys does not imply that the United Nations should be excluded from it. This criterion, which was used as a justification for the veto in the Security Council, is unacceptable. Indeed, if we did not follow up the situation and contribute to creating conditions conducive to peace in the Middle East, the United Nations would lose all relevance.

It is precisely for this reason that our delegation has opposed and will continue to oppose the use of the veto, which we continue to regard as an unfortunate consequence of the cold war. It is also for this reason that we have supported the convening of this special session of the General Assembly.

Terrorism and extremism, whatever their origins or motivations, are without a doubt enemies of the peace process in the Middle East. On several occasions the parties have courageously confronted these enemies, recognizing that such sinister forces cannot be the guiding principles of a process that holds the expectations of millions, nor can they serve as a pretext for going back on the irrevocable decision to advance along the road of peace.

The peace process in the Middle East and the Palestinian situation are legitimate concerns of the entire international community. It is our obligation both to ensure that the process continues to move forward and to prevent developments that might weaken it.

Mr. Samhan (United Arab Emirates) (*interpretation from Arabic*): Today, at its tenth emergency special session, the General Assembly is considering the question of illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. This special session was called for in accordance with General Assembly resolution 377 (V), entitled "Uniting for peace", after the Security Council was unable, because of the veto of a permanent member, to adopt a resolution calling for an end to the construction of a settlement at Jabal Abu Ghneim in East Jerusalem. Today's debate reflects the view of the international community, which rejects all Israeli colonization policies and measures in occupied Palestinian territories, particularly in East Jerusalem.

Barely a week after the General Assembly adopted resolution 51/223 by an overwhelming majority, calling on the Israeli Government to refrain from all actions or measures, including settlement activities, that alter the facts on the ground, it is unfortunate that the Government of Israel has continued to deny irresponsibly the will of the international community and to continue its illegal acts of building a new settlement in Jabal Abu Ghneim, in the southern part of the occupied East Jerusalem. It has also closed off the area, declared it a military zone, withdrawn the rights of Palestinians to live there and confiscated land by force. This is a link in the chain of the policy of past and future colonization of the city of Jerusalem and its environs. This policy is designed to isolate this important Arab Muslim territory from the rest of the West Bank and to Judaize it by changing its demographic character and political and legal situation, in violation of international law.

The Government of Israel has refused to call an immediate halt to the building of settlements, not only in East Jerusalem but also throughout the occupied Palestinian territories. It has also continued its policy of embargo, siege, and restricting the movement of persons and goods to the areas governed by the Palestinian Authority. It has introduced new concepts and interpretations that have nothing to do with the peace process in an attempt to shirk commitments already entered into and to hold up the final status negotiations. All these practices are flagrant violations of the resolutions of international legitimacy, of the Declaration of Principles on Interim Self-Government Arrangements and of the principle of land for peace. They also violate the guarantees of previous agreements in the peace process, the Fourth Geneva Convention of 1949 and The Hague Rules of 1907. The Palestinian people have the right to show their anger and to declare Israel's actions null and void because they prevent the Palestinian people from enjoying their legitimate rights to recover occupied lands, to self-determination and to build an independent State with its capital in Jerusalem.

If we examine objectively the policies of the current Israeli Government, we will see that it intends to render the peace process meaningless, to thwart it and subordinate it to the Israeli Government's objective of annexing Arab Palestinian territories by force. But all the other parties to the peace process reject this. They place on Israel's shoulders the full responsibility for the serious repercussions that might result from its illegal practices, which could throw the region back into a spiral of tension

and instability that could threaten international peace and security.

The United Arab Emirates is committed to the achievement of a just and lasting peace in the Middle East on the basis of the agreements reached at the Madrid Peace Conference and of United Nations resolutions, including resolutions 242 (1967), 338 (1973) and 425 (1978), which condemn the annexation of territories seized by force. The United Arab Emirates condemns these old Israeli practices that strengthen the Israeli occupation and not only provoke the Palestinian people, but will also provoke other Arab Muslim countries and other peace-loving countries.

We reaffirm that the United Nations must shoulder its legal, political and historical responsibilities towards the Palestinian people and the situation in the Middle East until a just, comprehensive and lasting settlement is attained. We must not have any double standards. We call on the international community, and especially the sponsors of the peace process, to keep pressure on the Israeli Government so that, in accordance with the agreements reached at the Madrid Peace Conference, it will respect its legal, moral and humanitarian obligations and carry out the agreements reached with the Palestinian people, which call for an immediate end to the policies of colonization and continuation towards final status negotiations to settle the issues of Israeli settlements, Jerusalem, refugees and boundaries, and the earnest pursuit of all tracks of the peace process, which is an important regional and international mechanism for ensuring trust and peaceful coexistence, and thus ensuring that the peoples of the region can realize their aspirations to security, peace and prosperity.

Mr. Al-Ashtal (Yemen) (*interpretation from Arabic*): On 26 February 1997 the Israeli Government decided to build a Jewish settlement on Jabal Abu Ghneim, a hill south of the Arab city of Jerusalem. This led to a serious crisis with grave consequences for the peace process, which is now threatened with derailment by the policy of confrontation and extremism pursued by the current Israeli Government.

Naturally, the Palestinians, together with the Arab Group and the Non-Aligned Movement, turned to the Security Council and asked it to intervene and put an end to the construction project in East Jerusalem, because the project was a blatant violation of Security Council resolutions on Jerusalem and the occupied Arab territories. The Security Council, indeed, responded to the request by Palestine, and all its members but one voted in favour of a draft resolution calling upon Israel to refrain from all actions or measures which have negative implications for the final status talks. But to our great regret, the draft resolution was not adopted, owing to the veto cast by one permanent member of the Council.

The Arab Group therefore turned to the General Assembly, which adopted a similar resolution, calling on Israel to refrain from building the settlement. Even though the General Assembly adopted resolution 51/223 almost unanimously, Israel began construction on 18 March, in defiance of the international community. It was therefore necessary to place the matter before the Security Council for a second time, even though the result was not notably different: the same permanent member of the Council killed the draft resolution by its veto. Its bizarre justification for this was to claim that the Security Council was not the appropriate forum in which to discuss the matter.

The General Assembly has thus been convened in emergency special session to discuss the same subject in different circumstances. This will enable the international community to impose its will on the Government of Israel, which does not respect international agreements and which is interested only in undermining the peace process — indeed, in jeopardizing the security and stability of the entire Middle East.

We wonder how anyone can argue that the Security Council is not the appropriate forum for discussing questions relating to Jerusalem or to the peace process and the ongoing negotiations between Israel and the Palestinians. Have Security Council resolutions, especially Council resolution 242 (1967), not supplied the operational framework for all Arab-Israeli negotiations, from the Camp David accords to the Madrid and Oslo agreements? Has the Security Council not discussed the Arab-Israeli conflict for decades and adopted a series of resolutions that remain in force, such as Council resolution 252 (1968), which considers that all measures and actions taken by Israel in the occupied Arab territories are invalid? Does the United Nations, and especially the Security Council, not represent the only international forum in which to deal with all aspects of the Arab-Israeli conflict? Is it not the right of the Palestinians to have recourse to the Security Council when all other avenues have been closed to them?

How could a Security Council resolution have jeopardized the credibility that is needed for the peace process to continue? What is at issue, of course, is the

credibility of Israel, of which it gives constant reassurances even as it pursues a policy of aggression and the creation of *faits accomplis* on the ground.

The attempt to block Security Council discussion of any matter relating to the Holy City of Jerusalem on the pretext that this would hamper the peace process and the ongoing Palestinian-Israeli negotiations plays into the hands of the Israelis and emboldens Israel to push its settlement activities ever further. Why should the Security Council not be involved in the Middle East conflict? Matters of peace and security, including the Arab-Israeli conflict, are at the very core of the Council's functions.

Israel's insistence on its plans to build a settlement on Jabal Abu Ghneim contravenes the letter and the spirit of the agreements signed by Israel and the Palestinians. Moreover, those measures, which seek to impose a *fait accompli*, can have only a negative impact on the final status negotiations. Indeed, they jeopardize the viability of those negotiations. Thus, the General Assembly, which represents the collective conscience of the world, has a duty once again to condemn these Israeli measures.

The construction of the Israeli housing project on Jabal Abu Ghneim must be stopped in order to salvage the peace process, which teeters on the brink of total collapse.

Mr. Çelem (Turkey): The world may not be very large, but it is beset by a myriad of political problems, troubles and serious conflicts. Unfortunately, peace, security and stability are frequently placed in danger. Globalization results in even the smallest conflict assuming larger implications and dimensions in a very short time.

The Middle East is one of the most volatile regions in this context, and peace and security have been shattered there so many times, even in the recent past. Each time, the inherent problems of the Middle East have had wider regional and international implications. The Middle East question was long viewed as one of the most intractable issues faced by the international community, one that had constantly eluded a peaceful solution. However, the Madrid and Oslo talks constituted a historic turning point. Thus started the critical Middle East peace process, bringing together the Palestinians and the Israelis as partners in the search for peace. This event could also be construed as an example for the solution of several other apparently intractable political problems we face.

This reconciliation and the subsequent progress achieved on the path towards a final settlement have not been come by easily. We must all be aware, especially in the light of the long and dramatic history of the Middle East question, of the farsightedness and wisdom required of leaders, and of the goodwill and sacrifice required of the peoples involved, when we assess the true value of this gigantic leap.

Considerable progress has already been achieved in the process, culminating most recently in the Protocol on Al-Khalil and the further redeployment of Israeli forces. These developments cleared the way for the final status talks, which will also include the future of Al-Quds. We have come to the point at which a peaceful resolution of this long-lasting dispute is in sight.

We were about to breathe a deep sigh of relief. But at that critical point, we, and the Palestinians in particular, were dismayed to see several actions by the Israeli Government that constituted serious stumbling blocks in the peace process. The decision to build new Israeli settlements just as talks on the final outcome of the peace process were imminent has affected the situation in the area in a fundamental way.

I do not think anyone doubts that these measures are of a nature to predetermine the results of the final negotiations. As a result of this unexpected development, fighting in the streets has again broken out. Bloodshed is occurring again. Human suffering has begun again. Peace and security are once again in danger. Is it all worth it?

Out of a serious concern for the preservation of the momentum of the peace process, this question has been taken up by the Security Council and the General Assembly several times in the last few months. In the debates, my delegation has posed the question of how many setbacks the peace process can endure before it starts to unravel altogether. It is regrettable that despite the preponderance of views expressed to that effect, satisfactory and unambiguous results have not come out of these meetings.

We would have wished that this emergency special session had not become necessary. But it has. This emergency session may be one of the last opportunities for us to see the forest and not only the trees. Will this emergency special session correct a serious deviation in the peace efforts? That we cannot be sure of until both parties put all their faith and political will behind the peace process. We can only encourage and provide support for them to come to that point of common understanding.

The tense and polarized atmosphere does not give us much hope that the positions of the parties will change in a short period of time. What we are seeing today is neither a credible way of making peace nor a rational way of providing security. Attitudes have to change, and necessary steps have to be taken without delay to alleviate the tension, defuse the charged atmosphere and re-engage in the process of constructive negotiations. The views expressed here and the serious concern of the international community must be taken into consideration. Our efforts are aimed only at bringing about the desired common understanding and agreement between Palestinians and Israelis.

It is true that the peace process has advanced until now through bilateral negotiations. It may also be correct to assume that bilateral negotiations will again turn out to be the only way, at this time, to achieve a peaceful resolution of the present crisis. However, Israel should recognize that its partner in peace cannot go on negotiating while at the same time watching Israel carve up the very land they would be negotiating about.

It should be said, on the other hand, that terrorism, organized or individually perpetrated, is not and cannot be an effective or acceptable response. In this context, as we and nearly every other Member State pointed out during last month's debates, the status of Al-Quds Al-Sharif under international law should be respected. The sanctity of the Holy City for all three monotheistic religions should also be recognized. For negotiations in good faith, all settlement activities in the occupied areas, especially the Jabal Abu Ghneim project, should be brought to an end. Only then can the peace process again start moving in the right direction and on the right track.

The opportunities which durable peace and security could bring to the Middle East and beyond are evident. Despite the serious setbacks the peace process has encountered, we believe that this emergency session will achieve its goal. It will bring to the fore the basic purpose of an emergency special session. We, including the Israelis and Palestinians, have to unite for peace. Thus, we are confident that Palestinians and Israelis will together accomplish the rest and bring the process of peace and security in the Middle East to a successful conclusion.

Mr. Mwakawago (United Republic of Tanzania): The fact that we are meeting here today in the General Assembly for the second time in two months on the situation in the Middle East demonstrates the grave concern of the international community over the recent events in the region. The United Republic of Tanzania shares this concern and will therefore continue to support efforts meant to facilitate the Middle East peace process.

The United Republic of Tanzania will vote in favour of the draft resolution to be presented to the Assembly. We will do so in the firm belief that the peace process in the Middle East can come to fruition only in the context of a political settlement and on the basis of the relevant resolutions of this body and of the Security Council.

Mr. Çelem (Turkey), Vice-President, took the Chair.

The Middle East peace process stands at a critical juncture. We are concerned that the new settlement under construction in Jabal Abu Ghneim, to the south of East Jerusalem, may represent a turning away from the expectations and hopes triggered by the January accord between the Government of Israel and the Palestine Liberation Organization, leading to the withdrawal of Israeli forces from Hebron.

The special status of East Jerusalem is central to the peace process in the Middle East. The parties, pursuant to the Oslo accords, are also in agreement about this matter. The issue is also the subject of the principles set out in Security Council resolution 242 (1967), particularly that of the inadmissibility of the acquisition of territory by force. It is our submission that the General Assembly cannot and should not, therefore, condone any measures, however subtle, and under whatever pretext, meant to alter the legal status of East Jerusalem by presenting a *fait accompli*. It must therefore be our overriding objective, through the draft resolution before us, to assist the parties to recommit themselves to the implementation of a mutually agreed course of action and to demonstrate good faith in furthering that process.

Subsequent to the recent constructions in the south of East Jerusalem, the international community has at times witnessed disturbing live footage of confrontations between the Israeli security forces and Palestinian civilians, in an utterly disproportionate use of force. We all regret such incidents. They are especially regrettable because they are avoidable, and if unchecked, can contribute to an irreparable erosion of the confidence the parties must have in each other if the peace process is to remain on course, and if the interests of the parties — and, indeed, of the international community — are to be promoted.

The United Republic of Tanzania continues to believe in the optimism signified by the Hebron agreement. It would be a tragedy if that hope were shattered. We therefore urge the Government of Israel to exercise maximum restraint in order to prevent such an occurrence. We also call upon the sponsors of the peace process to bear in full their responsibility to safeguard its integrity. We share with the Government of Israel the proposition that disputes are best settled between the parties.

We do not agree, however, that this Assembly and this Organization are not the appropriate forums in which to deal with the problem at hand, especially when the parties themselves are not in agreement on how best to execute their respective commitments, and when one of the parties has, in good faith, appealed to the collective conscience of this body.

It also needs to be underscored that at this critical juncture it is equally incumbent upon the international community to help the process by urging the parties to fulfil both the letter and spirit of the undertakings they have entered into, and to remain committed to their implementation. We do not see how a just, lasting and comprehensive peace can otherwise be attained in the Middle East. It is in this context that the draft resolution deserves our common support.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The convening of an emergency special session of the United Nations General Assembly is an extraordinary event in itself. The very fact that the United Nations has had to resort to such a measure means that few political means remain available to correct a serious contretemps in the life of the international community.

We regret that the Government of Israel would not heed the General Assembly's urgent appeal immediately to stop the construction of a new settlement in East Jerusalem. Present-day realities in the Middle East are already being shaped largely by the negative consequences of this step. The mood of confrontation has been worsening, the stocks of mutual confidence between the Israelis and the Palestinians have been dwindling, and negotiations on all tracks of the peace process have ground to a halt.

Daily clashes between the Palestinian population and Israeli security forces in the West Bank and the Gaza Strip have been causing us very serious concern. The prospect of a new outbreak of *intifadah* have clearly highlighted the complexity of the situation, when any rash or wilful step is likely to cost the peoples of the Middle East very dearly.

At today's emergency special session, the General Assembly is called upon to display the firm will of the international community to defuse the explosive situation, which is worsening. The draft resolution to be adopted must be a clear landmark in the advancement of the peace process and must at the same time block unilateral actions and the recurrence of violence and terrorism.

Issues relating to Jerusalem and Israeli settlements, as agreed upon by the parties concerned, will be addressed within the framework of final status negotiations. We hope that the decisions of the present session will be thoroughly studied by the Israeli Government and will serve as an effective incentive for it to reconsider the actions it has taken to change the status quo in East Jerusalem. Without understanding how this action is inconsistent with the norms of international law and the content of the Palestinian-Israeli agreements, it is not possible to talk about being faithful to the spirit and the letter of the fundamental principles of the Middle East peace process laid down in Madrid.

The policy of fait accompli with regard to the occupied territories in general can only lead to an impasse. This is especially obvious with respect to the holy places in East Jerusalem. We would like to express the hope that at this session the General Assembly will do its utmost to deny extremists and enemies of peace on both sides grounds for undermining the situation in this region yet again.

Russia, as a sponsor of the peace process, has been making persistent efforts to prevent the disruption of that process. Our policy consists in a resolute commitment to the normalization of the situation, channelling Palestinian and Israeli relations onto the track of continuing negotiations on the basis of the legitimate interests, commitments and obligations of the two parties. Both short-term prospects and the very future of the Middle East hinge on this at present.

We hope that the signal given by the General Assembly will be correctly understood and evaluated by all those who cherish peace and security in that region.

Mr. Allagany (Saudi Arabia) (*interpretation from Arabic*): At the outset, allow me, Mr. President, to pay tribute to you and to the Member States for their support of the request to hold an emergency special session of the General Assembly under the terms of resolution 377 (V), entitled "Uniting for peace". The convening of the General Assembly today confirms that it is for Member

States to determine the real track of reform in this international Organization. It also confirms the need to achieve balance in international relations in order to establish the bases for peace, security and stability in the world.

At its 3745th meeting, on 5 and 6 March 1997, the Security Council failed to discharge its primary responsibility for the maintenance of international peace and security. The General Assembly held urgent meetings on 12 and 13 March 1997 and by an overwhelming majority adopted resolution 51/223, which calls on the Israeli authorities to refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East peace process. Less than 24 hours after the General Assembly adopted that resolution, Israel, in defiance of the international community, began the actual construction of the settlement at Jabal Abu Ghneim in the Holy City of Jerusalem. This serious act by the Israeli authorities, in defiance of the will of the international community, shows what the real intentions of Israel are and threatens the peace process and the Middle East as a whole.

Israeli settlement in the Arab territories occupied since 1967 has been the chief task of successive Israeli Governments from the year of occupation until the present day. The Israeli Government attached particular importance to this, as has been reflected in party and electoral platforms, as well as in official decisions and statements and in various plans and budgets. In practice, this has meant the confiscation of Arab lands, the establishment of settlements on those territories and the expansion and strengthening of settlements.

If we reflect on the general characteristics of the Israeli settlement plan in the Arab territories, we will notice the following: first, an insistence on not returning to the borders existing before June 1967; secondly, an emphasis on freedom of settlement, particularly in areas that Israel alone calls security zones; thirdly, complete dissociation of freedom of settlement and the reaching of regional agreements with each of the neighbouring Arab States; fourthly, the consideration of settlements as part of the peace process in the region; fifthly, the full Judaization of the Arab city of Jerusalem; and sixthly, emphasis on control over land as political control, in order to prevent the establishment of an independent Palestinian state on the West Bank and in Gaza.

On this basis, the Israeli authorities conceived a priority order for settlements. Emphasis was first placed on certain areas called security zones, which included the Holy City of Jerusalem.

The Israeli authorities started the Judaization of the Holy City of Jerusalem and the alteration of its historical and religious nature and its Arab character immediately after their occupation of the city in 1967. On 27 June 1967 they declared the unification of the two parts of the city under Israeli authority. They began to evacuate Arab residents from the Arab residential neighbourhoods and began to build a Jewish neighbourhood in the Old City. They also began to establish a chain of settlements and residential neighbourhoods inside and around the city in order to create a Jewish majority in those areas, freeze the development of the adjacent Arab areas and prevent any demographic or geographic continuity between these zones and the city of Jerusalem.

In 1972 the municipality of Jerusalem entrusted a working group of experts with the duty of devising a new structural plan for the city, including its old and new borders, and to create a Jewish majority: the total population in the year 2000 would reach about 650,000, of which the Jewish people would represent at least 72 per cent. The plan is also aimed at expanding the city to around 108,000 dunums, comprising 1,080 housing units, as well as commercial and industrial zones and public parks.

Among the measures taken by the Israeli authorities are the allocation of huge funds to change the basic features of Jerusalem and to erase its Arab character and the promulgation of special decrees and laws treating Jerusalem as a purely Israeli zone subject to the same organizational, legal and administrative rules applicable to other Israeli cities. In doing this, the Israeli authorities did not hide their intentions, but acted directly and consistently within the framework of the Judaization process.

Situated where it is, Jerusalem divides the West Bank into two parts. This coincides with the policy of the Israeli occupation, which is based on dividing the West Bank into separate zones cut off from each other. The encircling of the city with two chains of settlements also contributes to its isolation and definitive separation from the West Bank. The first chain controls Arab Jerusalem and its centre. The second chain was established to reinforce the first chain and to prevent Arab neighbourhoods in Jerusalem from spreading, especially

to the north. The occupying authorities found it important to control these neighbourhoods by means of huge residential areas overlooking the Arab areas to the north. All these areas were linked to each other and were established with great attention given to security, making them almost like fortresses.

The Israeli Government continues to disregard the peace process and the bases upon which it was built: the principle of land for peace and Security Council resolutions 242 (1967) and 338 (1973). The Government of Israel is trying to replace the bases and concepts upon which the process has been founded since it began in Madrid with extraneous concepts that have nothing to do with the peace process. In addition, it refuses to implement its obligations under the transitional agreement.

The fifth article of the Oslo agreement signed in September 1993 provides explicitly that the status of Holy Jerusalem should not be prejudged during the transitional stage. This is in addition to the resolutions of the United Nations and international legitimacy, as well as the American letter of guarantee submitted to the Arab side at the Madrid Peace Conference. The decision of the Israeli Government to build a new settlement in Jabal Abu Ghneim, in occupied East Jerusalem, is designed to isolate the City of Jerusalem and to establish a new city to replace the city of Bethlehem, and is therefore a rejection of the commitments in the agreements concluded between the Israeli and Palestinian sides.

We are eager to continue the march of the peace process on all Arab tracks. We are also eager to salvage the peace process from the serious impasse at which it now finds itself. Jerusalem is the essence of the Palestinian question and the real key to war and peace in the region. There will be no genuine peace unless Jerusalem, the site of the two holiest mosques, is returned. We call upon Israel to return to the framework of peace in accordance with the agreements concluded and the terms of reference and principles agreed upon. We call upon the sponsors of the peace process — the United States of America and the Russian Federation — to work persistently to hold together the fragments of peace in the Middle East and to reactivate the peace process on the Lebanese and Syrian tracks. Peace in the Middle East is based on justice and balance. It requires honesty and good faith in the negotiations and in addressing the respective peoples equitably.

We should also focus on the fact that a just peace is the linchpin of stability in the Middle East. Saudi Arabia, along with its sister Arab States, participated in the Madrid Peace Conference and believes that peace in the Middle East is an integral part of peace in the whole world, especially in the Middle East region, whose potential and characteristics make its stability and security a major concern to all world Powers concerned with international peace and security.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The implementation by the Israeli Government of the decision to build Jewish settlements in East Jerusalem has brought the Middle East peace process to another deadlock and heightened tensions in the region. We express our grave concern over this development and once again urge the Israeli Government immediately to cease building Jewish settlements in East Jerusalem.

I wish to emphasize that the Chinese Government has consistently stood for the settlement of the question of Jerusalem through peaceful negotiations by the parties concerned on the basis of the relevant United Nations resolutions. We hope that the parties concerned will exercise restraint and take effective measures to create conditions for an early resumption of the peace talks.

The international community is deeply disturbed by the current difficulties in the Palestinian-Israeli peace talks and most concerned about the future of peace in the Middle East. We are of the view that to move beyond current difficulties and prevent the reversal of the entire Middle East peace process, all parties concerned must make every effort to remove obstructions and obstacles and to implement as soon as possible all the agreements reached. This is the only way to consolidate the progress already made in the Palestinian-Israeli peace talks and further advance the Middle East peace process.

China has consistently supported the Middle East peace process and stood for a political settlement of the Middle East question on the basis of the relevant United Nations resolutions and the principle of land for peace. At this sensitive and critical juncture, we call on the parties concerned to exercise restraint and remain calm, to cherish the hard-won peace and strictly to abide by the agreements reached by Palestine and Israel, so as to create conditions for an early, fair, comprehensive and lasting solution to the Middle East question.

Mr. Mapuranga (Zimbabwe): When the late Israeli Prime Minister Yitzhak Rabin and Chairman Yasser Arafat shook hands on that historic occasion at the White House, there were worldwide reverberations of joy.

In Africa, the situation in Palestine, and the situation in the Middle East in general, have been — and still are — permanent agenda items at meetings of the Organization of African Unity (OAU) Council of Ministers and Assembly of Heads of State and Government. The OAU, at both the ministerial and Head of State levels, has since passed resolutions welcoming the peace process and exhorting all parties involved, particularly the Palestine Liberation Organization and Israel, to persevere in consolidating the peace process in order to bring to fruition the peace and prosperity that has eluded the region for several decades.

Today, the Middle East peace process is in mortal danger as a result of the myopic and cynical policy of establishing new Israeli settlements in East Jerusalem and other parts of occupied Arab land. This policy has been overwhelmingly disapproved of by the world community. On 7 and 21 March, all but one of the members of the Security Council disapproved of that policy. The General Assembly followed suit, with only two votes against and two abstentions. At the beginning of April, the Ministers for Foreign Affairs of the non-aligned countries met in New Delhi and, among other things, reached the unanimous conclusion that the policy of establishing new settlements was a grave menace to the peace process.

Zimbabwe supported the call by the Ministers of non-aligned countries for the convening of this emergency special session of the General Assembly because it is our conviction that the United Nations can and should play a role in rescuing the peace process and putting it back on track. As Zimbabwe's Minister for Foreign Affairs stated at the New Delhi conference:

> "My delegation wishes to reiterate our call on the Israeli Government to show commitment to the peace process. The building of new settlements in the occupied territories will certainly throw that region back into the abyss out of which it is trying to crawl".

Consequently, we support the draft resolution now before the General Assembly and call on Israel, a State with which Zimbabwe has diplomatic relations, to desist from establishing these settlements and to give serious consideration to the grave consequences that the settlements policy has for the peace process. We hope that the forces of reason will prevail and that the peace process will be relaunched on a firm and even track.

Mr. Kausikan (Singapore): Less than two months ago, the General Assembly met in a resumed session to consider this very same issue. We regret that the Israeli Government has not heeded the clear message of the international community, as expressed in the resolution adopted on that occasion.

The Israeli Government's decision to proceed with the construction of an Israeli settlement in East Jerusalem can have the effect of undermining the spirit of trust and cooperation which is vital to the success of the Middle East peace process. At a time when all concerned parties are working tirelessly to ensure its successful implementation, it threatens to unravel the hard work achieved thus far in the peace process.

Of course, all Governments have the right to adopt policies that address the housing needs of their populations. But the selection of East Jerusalem as the venue of the housing project is controversial because unilateral steps that can alter the current status of Jerusalem will only complicate the already difficult negotiations.

As we all know, the final status of Jerusalem — a city of sacred importance not only to the Jews, but also to Muslims and Christians — is still subject to the outcome of negotiations. Singapore therefore urges the Israeli Government to reconsider the housing project in East Jerusalem so that the peace process can continue unimpeded.

Singapore is firmly of the view that the peace process is the only path to peace and security for the Palestinians, as well as for Israel and its neighbours. Singapore reaffirms its commitment to a comprehensive, just and lasting peace based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and within the framework of international law. We will continue to do what we can to support efforts to bring about the peaceful settlement of the question of Palestine so as to realize the just aspirations of the Palestine people.

Mr. Olhaye (Djibouti): The draft resolution under consideration by the General Assembly at this emergency special session, regarding the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory, represents, in the light of the enormous implications of Israel's actions, a reasonable expression of concern and a minimal measure on the part of the international community. The decision by Israel to construct 6,500 housing units on confiscated Arab land at Jabal Abu Ghneim in East Jerusalem has been consistently and justifiably condemned by the

international community since it was announced on 26 February 1997. The vote of 14 to 1 in the Security Council and 130 to 2 in the General Assembly on Jabal Abu Ghneim speak for themselves.

The case against Israel's actions is very clear and very tight, and has been made by many delegations. Jerusalem cannot be legally treated as one city. Until 1967, East Jerusalem was, and it still remains, a part of the West Bank and under Arab control. In that year, Israel conquered and brought under its control, as an occupying Power, East Jerusalem. Thus, the administration of East Jerusalem is governed by international law — The Hague Rules of 1907, article 49 of the Fourth Geneva Convention and numerous resolutions of the Security Council — 252 (1968), 271 (1969), 478 (1980) and 672 (1990) — and of the General Assembly on Israeli actions which alter the legal status and demographic composition of the city. Such actions have been consistently held to be null and void and of no legal validity.

Inasmuch as East Jerusalem is part of the West Bank and has been so since the partition of Palestine, its status is clearly covered by the Oslo declarations and by the 1993 bilateral agreement signed between Israel and the Palestinian Authority. That agreement states very plainly that neither side shall initiate or take any step that will change the status of the West Bank pending the outcome of the permanent status negotiations. Final status issues are clearly spelt out and cover Jerusalem, refugees, settlements, borders and security. The fact is that all Israeli settlements in the occupied territory, including East Jerusalem, are illegal under article 49 of the Geneva Convention.

The status of East Jerusalem, besides the legal issue, has a tragic human side as well, one touched upon by the representative of Palestine this morning. From the beginning of its occupation, Israel has, incredibly, classified Arab citizens of Jerusalem as "foreigners" in their own land, issuing them permanent residence permits. Now, in the last 18 months, a policy of quiet deportation of East Jerusalem Palestinians has been in force, leading to the expulsion of thousands. Restrictions on building and planning permits are in force. Attempts to unify families are systematically frustrated, and residence status for persons who move outside the municipal borders of Jerusalem are revoked on the pretext that their centre of life has changed and is no longer Jerusalem. The documented result has been the forced separation of families, husbands, wives and children. The Palestinians are losing their ancestral homes, are denied work permits and social benefits, and are unable to return to Jerusalem. Against this policy of quiet deportation and increasingly severe living conditions, Jabal Abu Ghneim looms ominous.

As we all know, the Oslo peace accord was predicated on a step-by-step implementation as the surest way to overcome the core constraint: the high level of mutual distrust between the parties. And, in fact, the peace process achieved an increasing level of trust and confidence. Sadly, though, we have reached a point where today even talks have been suspended, and the growing trust has been replaced by considerable hostility. One must therefore question Israel's call for accelerated final status talks now, which would obviously take place in an atmosphere of extreme distrust and low confidence.

Mention must be made of the issue of violence. There is no doubt that it represents a serious impediment to the peace process. But violence comes in many forms. The denial of basic human rights, the confiscation of one's rightful property and ancestral home, the denial of free movement, the obstruction of necessary economic activity, the importation of thousands of "foreigners" to be settled in confiscated land in occupied territory, the systematic and deliberate splitting of the West Bank through streams of bypass highways and indiscriminately placed settlements — all these, in our view, amount to a clear record of violence against the Palestinians by the Israeli authorities. These actions violate international law and the Security Council and General Assembly resolutions. They violate regional and international peace and security. Ending violence is key, but by that we mean all forms of violence, including those that provoke violence. Provocateurs are as guilty as violators.

There is little doubt that this tenth emergency special session of the General Assembly must express the overwhelming opinion of the international community and adopt the draft resolution calling for an immediate halt to the illegal construction at Jabal Abu Ghneim. Settlement activity — of which Jabal Abu Ghneim is a glaring example — must cease. At the moment, our immediate concern is not even a resumption of the peace process and negotiations; it must be to halt the slide towards hostilities. Even enlightened voices in Israel have noted that unless an urgent and radical change occurs, the peace process will wither away. Too much is at stake in the present crisis for it to be treated with benign neglect. The world community and the Assembly must make known their demand for a halt to divisive measures and the return to a real peace process.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): In recent months the Security Council has been addressing the situation caused by the decision of the Government of Israel to build a settlement in the area of Har Homa/Jabal Abu Ghneim in the occupied Arab territory of East Jerusalem, along with the reactions to that decision. Unfortunately, the members of the Security Council have been unable to provide a joint response to this problem. For that reason, we have all decided now, united for peace, to consider that situation in this emergency special session of the General Assembly, which is the Organization's democratic political organ par excellence. Costa Rica considers that this special session undoubtedly constitutes a necessary and valuable opportunity for the United Nations to comply with its primary obligation to secure peace, security and respect for human rights for all peoples.

Costa Rica considers that it is of crucial importance that the Middle East peace process continue forthwith. In this regard, it is indispensable to continue the peace negotiations aimed at full implementation of the Oslo agreement, undertaken thanks to the visionary, energetic and courageous leadership of both the martyred Prime Minister of Israel, Yitzhak Rabin, and the President of the Palestinian Authority, Yasser Arafat. That is the only logical, rational and sensible way to achieve peace. In that context, Costa Rica supports the legitimate rights of the Palestinian people as well as Israel's just demands for secure frontiers. It considers that only full and unconditional compliance with the peace agreements duly adopted and in force will meet the needs of both peoples.

We are therefore firmly convinced that the decision of the Government of Israel to build settlements at Har Homa/Jabal Abu Ghneim is contrary to international law, that it seriously jeopardizes the implementation of the Oslo agreement, and that it is inconsistent with the desire for peace of both the Palestinian and the Israeli peoples. That decision marks a withdrawal from the courageous commitment to peace undertaken by Prime Minister Rabin. Costa Rica, which does not endorse that decision, calls upon the Government of Israel to change this policy and encourages it to fulfil what was agreed at Oslo. A hero's peace requires and demands a new opportunity. As Yitzhak Rabin put it,

> "The road is still long. However, we are determined to continue until we have brought peace to the region, for our children and our children's children and for all the peoples of the region. This is our mission. We will fulfil it". (*Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 39th meeting, p. 26*)

Such is the spirit of peace that should prevail in the Middle East. My delegation considers that the General Assembly must decisively support the peace process and that it must call boldly upon the parties to continue the permanent status negotiations in good faith. There should be a clear call to the parties to avoid or cease all acts that could make resumption of the peace process more difficult, including construction of the settlement at Har Homa/Jabal Abu Ghneim.

Unfortunately, the peace process is threatened also by recent terrorist acts committed in the territory of Israel against civilian targets, which caused the loss of human lives. Such acts are criminal and are to be condemned. All terrorist acts and practices are criminal and unjustifiable, wherever and by whomsoever committed and regardless of any political, philosophical, ideological or religious consideration that might be used in an attempt to justify them. Their use is, as was recognized by the General Assembly at its fifty-first session, contrary to the purposes and principles of the United Nations. Even more, Costa Rica considers that they pose a serious threat to international peace and security and that the international community should therefore eliminate them. In that connection, Costa Rica is pleased that both the Palestinian National Authority and Israel have rejected and condemned the use of terrorist practices.

Costa Rica calls upon the parties to achieve, in compliance with the Oslo agreement and with the cooperation of the international community, a just and comprehensive solution to the status of Jerusalem which will secure the rights of all parties and which, in particular, will secure the freedom of religion and access for the faithful of all denominations and nationalities.

Finally, Costa Rica reaffirms its forceful call in favour of peace and the process of implementing the Oslo agreement. Radicalization of the parties should not prevail. The will expressed and committed to by President Arafat and Prime Minister Rabin when they signed the peace agreement should endure. That is the only path that Israel and the Palestinian Authority can follow, a path which, as President Arafat said,

> "springs from our people's desire to turn over the leaf of killing and destruction once and for all, so that the Palestinian people and the Israeli people

may live side by side, in two independent States on the basis of mutual respect". (*Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 35th meeting, p. 30*)

Mr. Gambari (Nigeria): My delegation is greatly concerned about developments in the Middle East, particularly in relation to the question of the occupied territories and the recent decision by the Israeli Government to undertake the construction of new housing units for Jewish settlers in the Jabal Abu Ghneim/Har Homa area of East Jerusalem. The construction of the new housing units is, of course, only the latest in a series of measures taken and policies adopted by the Israeli Government concerning the occupied territories, all of which are aimed at presenting the Palestinians with a *fait accompli*. We not only believe that these policies are unhelpful to the peace process, but we are sure that they contravene relevant Security Council resolutions and Israeli obligations under the Fourth Geneva Convention.

In the last 12 months, the only apparent bright spot in the peace process was the agreement concerning Israeli troop withdrawals from Hebron. We had hoped that the agreement would mark a welcome turning point for the peace process after the near-deadly blows that had been inflicted upon it throughout 1996. Without any illusions that the peace process was going to be hitch-free, we felt, until quite recently, encouraged by the positive developments that had taken place since Madrid, and had even allowed ourselves cautiously to hope that peace and stability in the region were finally within reach.

Concerning Jerusalem, my delegation very much understands the Israelis' attachment to that city. However, we strongly believe that the Government and the people of Israel should also recognize that the Palestinians and others feel equally strongly about the city.

The unique and highly sensitive character of the question of the status of Jerusalem informed the wise decision made in Oslo to defer discussions on that subject until the very last stage of the negotiations. Precisely to ensure that those negotiations would take place in good faith and in a spirit of give and take, it was also decided that the parties should refrain from taking any actions which sought to change the status quo. In our view, the recent step taken by Israel can only prejudice the outcome of those negotiations.

We were struck by the consensus and total unanimity which characterized the two debates in the Security Council on this subject during the month of March this year. The majority of delegations condemned the Israeli decision, and all, except Israel itself, agreed that it would impact negatively on the peace process. It was therefore a matter of great regret for my Government that the Security Council was prevented from exercising its Charter responsibilities as a result of the negative vote of a permanent member. This situation no doubt emboldened the Israeli Government to go ahead with the construction of the housing units in defiance of the overwhelming call for it to reconsider.

Furthermore, during the debate on the subject at the resumed session of the General Assembly in March, leading to the adoption of resolution 51/223, the view of the international community, as expressed by the Member States of the United Nations that spoke during the debate, was overwhelmingly in favour of sending the right message to the Israeli Government about the harm its policies are doing to the peace process and to its standing in the international community.

My delegation supported the call for the convening of this emergency special session of the General Assembly because we believe it is appropriate. We strongly disagree with those who say that the United Nations has no role in the crisis. On the contrary, we are convinced that the United Nations has an important role in promoting peace everywhere. We are particularly pleased that the General Assembly is exercising that role responsibly by calling for and supporting the peace process on the basis of prior agreements reached by the parties themselves, as well as the need for equity, justice and fair play. Hence, for our Organization to be silent now would amount to a shirking of its global responsibility and could be wrongly construed by either of the parties as an endorsement of the current Israeli policies.

In conclusion, it is not too late for the Israeli Government to reconsider its position and decide against the continuation of the construction. That is the only way to give a new impetus to the peace process and ultimately ensure long-term peace and security for the region. We therefore call on those with influence on and leverage with Israel to exercise them in favour of peace and stability in that long-troubled region by ensuring Israel's compliance with its obligations under the relevant United Nations resolutions and international law. In this regard, it behoves those who have assumed the leading role in reconciling the parties to the conflict in the Middle East to avoid conspicuously taking the side of one of the

parties. My delegation is convinced that only an even-handed approach can help bring peace to the region, sooner rather than later.

Mr. Kamal (Pakistan): It is most unfortunate that after less than a month this Assembly is meeting once again to consider the alarming developments in the occupied Arab territories. It gives Pakistan a sense of profound disappointment and regret that, despite the overwhelming rejection of the recent Israeli actions by the general membership, the Security Council failed on two successive occasions to shoulder its responsibilities in maintaining international peace and security. This inaction by the Security Council has clearly frustrated the will of the international community, which expected the Council to respond in an effective and timely manner to address such a crucial issue in such a volatile region of the world. Nothing would be more unfortunate than to see Israel seizing on the continued lack of initiative by the Security Council as an opportunity to intensify its unilateral actions in utter disregard of the aspirations and inalienable rights of the Palestinian people.

It is now, therefore, imperative that the General Assembly address this urgent situation and pronounce itself on this issue in unambiguous terms. It is also essential that the international community's voice of reason and justice be heard through the deliberations of this emergency special session of the General Assembly and that effective measures be adopted to address the illegal actions and policies of Israel.

It is with a sense of utmost concern that the Government of Pakistan views the action by Israel to begin the construction of a new settlement in the Jabal Abu Ghneim area of East Jerusalem. Israel has also continued to keep open the tunnel extending under the Western Wall of the Al-Aqsa Mosque at Al-Haram al-Sharif. We have been equally disturbed to learn that Israel has continued to isolate East Jerusalem from the rest of the West Bank by declaring it off limits to Palestinians and withdrawing residence permits from the city's original Arab inhabitants.

Pakistan would like to take this opportunity once again to strongly condemn all these actions and policies, which constitute a blatant violation of The Hague Rules of 1907, the Fourth Geneva Convention of 1949, the relevant resolutions of the United Nations Security Council and General Assembly, the Declaration of Principles and the subsequent agreements and accords concluded between the Palestinians and the Israelis. These measures are also particularly disturbing as they seriously jeopardize the peace process which had been established through bold and courageous initiatives taken earlier.

Provocative Israeli actions have once again shattered the hopes that the peace process would lead to the early exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland. Pakistan's support of the just struggle for the inalienable rights of the Palestinian people is well known. We have consistently stated that Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) continue to provide a viable and just framework for a durable and comprehensive peace in the Middle East.

The Security Council must continue to play an effective role to resolve the Middle East problem in a comprehensive manner. We should oppose any attempts to scuttle the Security Council's involvement in the peace process through the introduction of arbitrary "benchmarks" for peacekeeping operations in the context of United Nations reform. The United Nations Truce Supervision Organization (UNTSO), established in 1948, continues to operate in the Middle East. UNTSO observers have, on short notice, formed the nucleus of other peacekeeping operations. They have been assisting the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights and the United Nations Interim Force in Lebanon (UNIFIL). We must therefore maintain the present status and structure of UNTSO until the final resolution of the Middle East situation.

The international community must rescue the Middle East region, at this critical juncture, from an atmosphere of conflict and war. The provisions of the agreements and accords concluded between the Palestinians and Israel must be sincerely complied with both in letter and in spirit. The Israeli leadership should concede to the realities on the ground and resolve all pending issues with the Palestinian National Authority, including the immediate reversal of its alarming actions.

It is now incumbent upon the General Assembly to do what the Security Council has failed to do. In this context, we would like to draw the attention of the General Assembly to the Non-Aligned Movement's position on this issue, clearly spelt out in the communiqué on the Palestine question issued at the Twelfth Ministerial Conference of the Movement.

The Assembly now bears the solemn responsibility to ensure that the peace process is not undermined as a

result of provocative and irresponsible actions taken by Israel.

Mr. Mabilangan (Philippines): The Philippines joins other States Members of the United Nations today at this emergency special session of the General Assembly in expressing collective concern over the situation in Jerusalem and the occupied territories.

The Philippines has long held that the Holy City of Jerusalem is the sacred treasure of the faithful of Christianity, Islam and Judaism. Thus, there is no room for unilateral action with respect to the administration and development of the city. The Israeli Government's decision to proceed with construction in the eastern part of Jerusalem/Al-Quds is therefore viewed with deep concern. That action, sadly, is not in conformity with the spirit of dialogue and reconciliation which has otherwise characterized the tenor of relations between the Governments of Israel and Palestine as they engage themselves in the Middle East peace process; nor is it consistent with the spirit and intent of the agreements concluded between the Israeli and Palestinian authorities.

We had hoped that our collective voice, as earlier expressed by many delegations in meetings of the General Assembly and the Security Council held last month, as well as by the Foreign Ministers of the Non-Aligned Movement as contained in the section on Palestine in the Final Document of the XII Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi, would have persuaded Israel to reconsider its ongoing construction in East Jerusalem, and its presence in the occupied territories as a whole. Our voices also urged all parties to resume anew their places at the negotiating table of the stalled Middle East peace process.

Regrettably, our hope has not been fulfilled. Nevertheless, the door has been left open for all parties to return to the path of reconciliation and negotiation, as demonstrated by the progress made in the peace process as recently as January of this year.

This emergency special session provides the international community with an opportunity not only to discuss the situation under consideration but also to take effective action in addressing the situation. In this regard, we believe that the adoption of a resolution by a significant majority is necessary. In our view, such a resolution should include elements we believe to be essential for a just solution of the situation at hand. These would include affirmation of and support for the Middle East peace process on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and full and timely implementation of agreements already reached between the Governments of Israel and Palestine. It should stress the need to preserve the territorial integrity of all the occupied Palestinian territory and the need to guarantee the freedom of movement of persons and goods in the territory.

Such a resolution should also affirm the applicability of relevant international humanitarian law, namely the Fourth Geneva Convention of 1949 and the Hague Rules of 1907 as they apply to East Jerusalem and the occupied territories in general. We also hope that any resolution adopted will include provisions giving the United Nations an active role in the current crisis, including through the dispatch of a team of United Nations observers.

Finally, it is our fervent hope that the holding of this emergency special session of the General Assembly and the adoption of an effective resolution will serve as a catalyst in restoring the spirit of cooperation and dialogue among all parties in the Middle East process.

Mr. Andjaba (Namibia): After a gap of less than two months, this body is yet again seized of the same issue due to the urgent situation which currently prevails in the Middle East. The inability of the Security Council to send a unanimous message to the world, reaffirming the right of self-determination of the Palestinian people, is most disheartening.

The current situation has most regrettably deteriorated, despite the earnest appeal of the international community to the Israeli Government to, *inter alia*, refrain from constructing settlements in Jabal Abu Ghneim. Such actions are definitely undermining the peace process in the region.

At the very centre of the peace process is the full realization of the right of self-determination of the Palestinians, led by the Palestine Liberation Organization, leading to complete nationhood. The Government and the people of Namibia express their unflinching solidarity with the people of Palestine. In this regard, significant momentum has to be given to the peace process so as to ensure the enjoyment by the Palestinian people of their economic, social and cultural rights, which constitute an essential component of the right to self-determination.

We are continuously witnessing an ever-increasing escalation of violence in the region, which in turn

aggravates the already fragile peace negotiations. The unfortunate bloodletting of people on both sides warrants that the leaders in the region should gather round the table so as to give peace a chance.

Our message to the concerned parties has not changed: there is no alternative to peace, and we cannot coexist with violence. The Republic of Namibia reiterates its firm belief in keeping hope alive with a view to finding a just, comprehensive and durable peace for the whole of the Middle East. This is what the whole world is hoping for and expecting from all the leaders in that strategic region. To this end, Namibia urges all Arab and Israeli leaders not to relent in their efforts within the framework of the agreed principles and timetables.

At the recent XII Ministerial Conference of the Movement of Non-Aligned Countries, held in New Delhi, the Ministers reaffirmed their unequivocal support for the right to self-determination of the Palestinian people. Furthermore the Non-Aligned Ministers supported the ongoing peace process and called on the Government of Israel, among other things, to abide by its obligations and its commitments to implement the terms of the agreements in keeping with the agreed timetable. They noted too that Israel has failed to respect and carry out the relevant decisions of the Security Council.

Namibia, as a member of the Non-Aligned Movement, was fully committed, in conformity with that mandate from New Delhi, to convening this emergency special session to devise ways and means of finding a mutually satisfactory agreement based on the principles of international law.

The fact that the General Assembly has convened is in keeping with what our Ministers requested the United Nations to do, since it is one of its responsibilities to maintain international peace and security. The United Nations has a permanent responsibility towards Palestine until all the problems relating to the peace process have been resolved. Thus, the adoption of a resolution on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestine territory is definitely appropriate. The Namibian delegation will support it.

Mr. Hasmy (Malaysia): We are meeting today in accordance with a rare and exceptional procedure which, in the history of the United Nations, has been resorted to only in very grave circumstances. Very seldom has the membership of the United Nations been called into session in accordance with General Assembly resolution 377 (V), entitled "Uniting for peace". In this resolution, the General Assembly

> "Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter [in order] to maintain or restore international peace and security." *(resolution 377 (V), para. 1)*

Following the failure of the Security Council to adopt a resolution on account of the veto exercised by a permanent member, this tenth emergency special session of the General Assembly has been convened at the request of a large majority of Member States to address this issue of critical importance to the maintenance of peace and security in the region.

The situation in Palestine today is indeed grave. In the view of my delegation, the construction of an Israeli settlement south of East Jerusalem in Jabal Abu Ghneim constitutes a threat to the peace and stability of the entire region. Recent events, which have claimed several lives, have demonstrated the potentially explosive consequences of the Israeli actions. Unless the construction is stopped forthwith, it could seriously undermine the very foundations of the peace process — which have been painstakingly put together by the various parties concerned — with serious implications for peace and security in the region.

It is most regrettable that the prospects for peace in Palestine — indeed, in the Middle East — which had been most promising following the Madrid accords five years ago, are being jeopardized by the irresponsible and provocative actions of the Israeli Government, which have precipitated a fresh outbreak of violence. The General Assembly, through its resolution 51/223 of 13 March 1997, called on the Israeli Government, *inter alia*, to refrain from all actions or measures, including settlement activities, which could alter the facts on the ground and pre-empt the final status negotiations. This resolution, like many others in the past, fell on deaf ears in Israel. The Israeli programme of building new settlements continues unabated, in blatant violation of the Fourth Geneva Convention of 1949, is therefore completely illegal under international law and in defiance of the relevant General Assembly and Security Council resolutions.

It is patently clear that, since Israel's occupation of Jerusalem, successive Israeli Governments have pursued a policy of systematic Judaization of the city, in particular the Arab sector of East Jerusalem. Indeed, while the establishment of settlements in the other parts of the occupied Palestinian territories was initiated in mid-1968, the measures concerning Jerusalem commenced immediately after its occupation, leading to its illegal annexation by Israel on 28 June 1967, in defiance of international opinion and international law.

Over the years, Israeli policy on Jerusalem has been characterized by intimidation and harassment, the destruction of Arab property under various pretexts, the Judaization of the Arab economy in East Jerusalem by various political and administrative measures, and the registration of Arabs, which is aimed at depriving the absentees of their properties, which were then expropriated in accordance with the so-called absentee law of 1950.

It is pertinent to note that expropriation operations were carried out under the pretext of the public interest, but instead of hospitals, schools or roads, Israeli settlements have sprouted. Indeed, even excavations have been resorted to, ostensibly for archaeological purposes, only to lead to the collapse of many Arab houses and their subsequent abandonment by their owners for safety reasons. These latter practices have been condemned in no less than 13 resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The current policy of construction in Jabal Abu Ghneim is merely an extension of an established Israeli policy of systematically altering the character, demographic composition and legal status of Jerusalem. The international community, which we represent here, cannot allow the continued violations of international law and relevant United Nations resolutions, in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). These underscored the inadmissibility of the acquisition of territory by force and of changing the legal status of Jerusalem by altering the character and demographic composition of the Holy City.

My delegation therefore reiterates its strong condemnation of these Israeli actions, which are a breach of both the spirit and the letter of the peace accords signed between the Israeli and Palestinian sides. My delegation once again calls on the Israeli Government to heed the voice of the international community and to cease immediately all its settlement activities in the occupied Palestinian territories, including Jerusalem, which pose a serious threat to the continued viability of the peace process and, consequently, to regional peace and security.

Malaysia firmly believes that there can be no alternative to a just, comprehensive and lasting settlement to the Palestinian and the Arab-Israeli conflict, one that would bring durable peace and stability to all countries in the region, consistent with the various resolutions of the Security Council and the General Assembly and within the framework of international law. To this end, it is imperative that, in the wake of the failure of the Security Council to carry out its responsibility thanks — or rather, no thanks — to the use of the veto, the Assembly pronounce itself on this important issue of peace and security. We urge the Assembly to endorse strongly the draft resolution before it, so as to send a clear and unambiguous message to Israel that the international community does not approve of or condone its actions.

It is true that Israel has ignored many past and recent resolutions of both the General Assembly and the Security Council. However, this should not dampen the resolve of the international community to carry out its legitimate role and responsibility, as provided for in the Charter of the United Nations, and to convey once more its important message to Israel, a Member State of this Organization.

I should like to stress that, in doing this, we, the international community, are not about to interfere in the bilateral negotiations between the Israelis and Palestinians. We are merely expressing our serious concern at the possible negative impact of the continuing Israeli actions on these extremely delicate negotiations. Indeed, we are endeavouring to ensure that these negotiations will not be undermined or broken beyond repair because of the intransigence of one of the parties.

In conclusion, my delegation takes this opportunity to strongly reaffirm Malaysia's well-known position of total commitment and unwavering support for, and abiding solidarity with, the Palestinian people in their valiant struggle for a just and lasting peace and for an independent sovereign state of Palestine, with Jerusalem, the sacred city of Muslims, Christians and Jews, as its capital.

Mr. Insanally (Guyana): We meet today in an emergency special session because events in East Jerusalem and the rest of the occupied Palestinian territory have now jeopardized the Middle East peace

process and the fragile peace that has been achieved thus far. As Members of the United Nations, we have an obligation to preserve that process and to ensure that the situation does not deteriorate further.

The Declaration of Principles on Palestinian self-rule which was signed on 13 September 1993 had held out the promise of a definitive settlement of the question of Palestine. The international community regarded it as a quantum leap in the process and a sign of hopeful change. Yet several unhelpful developments have occurred since then. A controversial tunnel was constructed and opened in Haram Al-Sharif, in contravention of Security Council resolution 1073 (1996). Housing settlements continue to be built in disputed areas, much to the chagrin of the Palestinian people. They now appear to have lost all confidence in the peace process.

The Government of Guyana regrets that the Israeli Government has seen fit to proceed with the construction of another housing settlement in East Jerusalem despite objections by the Palestinians and the wider international community. In this connection we recall General Assembly resolution 51/223, adopted on 13 March 1997, which calls on Israel to, *inter alia*,

> "refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East peace process" (*resolution 51/223, para. 1*).

The rights and interests of all States and peoples involved must be respected and honoured. The Government of Israel must recognize the inalienable rights of the Palestinian people. In turn, its own security concerns must be considered. For unless a just and comprehensive settlement is achieved, the Middle East will never have lasting peace and security.

This emergency special session must give at this time urgent attention to the many injustices being perpetrated against the Palestinians. The confiscation of lands, the demolition of homes, the expropriation of property, detention without trial and other violations of their human rights are serious issues which have to be addressed immediately. The Government of Guyana calls for a cessation of all policies and practices which threaten to worsen the situation. Israel and the Palestinian Authority must abide by the agreements reached in the peace accords. They must implement the United Nations resolutions regarding the question of Palestine and the Middle East process. They must proceed with the peace negotiations in order to achieve a fair settlement of all outstanding issues, including the status of Jerusalem, the cradle of several of the world's major religions.

In condemning the injustices against the Palestinians, and the threat which they represent for international peace and security, we call for full respect of the rights of all peoples, including the Palestinian people, to the right to self-determination, to sovereignty and to territorial integrity. These are important principles which the United Nations must uphold if it is to remain faithful to its Charter. It is to be hoped that this further step by the Assembly, acting pursuant to the General Assembly resolution on "Uniting for peace", will serve as a new dynamic in the continuing search for a settlement of the Palestinian question.

Mr. Petrella (Argentina) (*interpretation from Spanish*): Within less than 45 days, we find ourselves once again participating with concern in the debate on the question of Israeli settlements in East Jerusalem. We are doing so in order to ask the parties not to backtrack in the negotiations, which until recently they had been conducting jointly. Our words are simply the expression of our genuine wish to safeguard the process and to encourage the parties to renew their commitment to peace.

There is no alternative in the Middle East. Peace must be built on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), on the basis of the Madrid and Oslo agreements and within the conceptual framework of the principle of land for peace, which has inspired the entire negotiating process. For this objective to be attained, unilateral actions must be avoided that are counter to the essence of the process.

For that reason, the decision to build new settlements in East Jerusalem is cause for serious concern, as it changes the atmosphere of understanding and confidence that is a condition for progress in the negotiations. We therefore urge the Government of Israel to reconsider the measure and to assess its effects in the light of its ongoing and basic interests — to live in peace with its neighbours.

On the other hand, it is clear that without the recognition of the right of Israel to live within secure borders without any acts, or threats of acts, of violence, no peace will be possible. But at the same time there is

no doubt that there can be no peace process without respect for the legitimate rights of the Palestinian people.

In this connection, we reiterate what we said in the Security Council on 6 March: settlements in the occupied territories are illegal, as they contravene Security Council resolutions 252 (1968) and 446 (1979), among others, and because they violate the principle of the prohibition of the acquisition of territory by force, which is a basic norm of international law, as reflected in Article 2, paragraph 4, of the United Nations Charter.

At this crucial moment for the Middle East, we urge all to act with moderation and with a sense of commitment, to avoid unilateral and inflexible positions, which can only benefit extremists who do not want to see the peace process succeed. We ask that the atmosphere of mutual confidence be restored so that once again the parties can sit at the negotiating table and build together a new tomorrow.

Mr. Ngo Quang Xuan (Viet Nam): At the outset, on behalf of the delegation of Viet Nam, I would like to join previous speakers in expressing my thanks to you, Mr. President, for convening this emergency special session of the General Assembly to consider the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. Due to the extraordinary and urgent nature of the situation, my delegation concurred in the request for this meeting made by the Chairman of the Group of Arab States and the Chairman of the Non-Aligned Movement.

The present situation in the occupied Palestinian territory, including Jerusalem, particularly the commencement by Israel of the construction of the Jabal Abu Ghneim settlement to the south of occupied East Jerusalem, is of great concern to the entire international community. It has negative impacts on the Middle East peace process and poses a serious danger of making the recent hard-won progress more precarious. These actions must be strongly rejected, and an end must be put to them immediately. It is important at this juncture that the Security Council and General Assembly resolutions on this question be further reaffirmed and implemented.

The Vietnamese delegation urges that all efforts be made to seek a long-lasting and satisfactory solution to the issue. In this regard, the United Nations has an important role to play. However, owing to the use of the veto, on two successive occasions less than two weeks apart, the Security Council was blocked and could not exercise its role in maintaining international peace and security. On 13 March 1997, at its resumed fifty-first session the General Assembly adopted by an overwhelming majority a resolution calling for an immediate end to the construction of these settlements. This resolution has been bypassed. All these developments are regrettable. Under such circumstances, it has been necessary to convene this emergency special session of the General Assembly in order to help solve the problem and move the peace process in the Middle East forward.

Viet Nam has been following closely the developments in the Middle East, particularly as regards the question of Palestine. We have consistently supported the Middle East peace process. We welcome the significant progress that was recorded during the last few years, including: the signing of the Declaration of Principles on Interim Self-Government Arrangements in September 1993; the Israeli-Palestine Interim Agreement on the West Bank and the Gaza Strip of September 1995; and the successful holding, on 20 January 1996, of the first Palestinian general election for the Legislative Council and the presidency of the Palestinian National Authority. Particularly, we welcome as a positive step the recent signing, on 17 January 1997, of the Hebron Protocol, which has led to the redeployment of Israeli forces from most parts of Hebron. These achievements need to be sustained, and greater efforts must be made towards the full realization of the long-awaited comprehensive and just settlement in the region.

The New Delhi Ministerial Conference of the Non-Aligned Movement, from 4 to 8 April 1997, made it clear that, if the current situation resulting from the construction of the settlements in Jerusalem is continued, it will prompt further measures and actions by the countries of the Movement. This message needs to be taken seriously. All parties concerned should honour their commitments, show good faith and refrain from taking any measures that could undermine the peace process. In view of the seriousness of the situation and the urgent need to salvage the peace process, at the New Delhi meeting the ministers of the Non-Aligned Movement urged Israel to respond positively and ensure its compliance with all agreements and undertakings reached by the concerned parties on all tracks during the peace talks.

This emergency session should ensure that all efforts aimed at reaching a just, comprehensive and lasting peace in the region will be made and that effective measures will be taken immediately to remove the current obstacles

to the Middle East peace process, in implementation of the agreements already reached.

The Vietnamese delegation supports the early achievement of a comprehensive, just and lasting settlement which will ensure the exercise by the Palestinian people of their inalienable rights, including the right to self-determination and statehood.

Mr. Rodríguez Parrilla (Cuba) (*interpretation from Spanish*): This emergency special session of the General Assembly has been convened in response to unacceptable acts and for incontestable reasons.

On 26 February 1997, the Government of Israel decided to start building new settlements in southern Jerusalem, in flagrant violation of the terms of the Middle East peace process.

The international community, and in particular the States of the Middle East, appealed to the United Nations Security Council in the hope that that body would assume its responsibility for the maintenance of international peace and security and would adopt appropriate measures requiring Israel to rescind its decision.

Contrary to the will of international community, the Security Council, through its failure to act, once again decreed total impunity for the actions of the occupying Power.

On 13 March 1997, the General Assembly considered the situation in an urgent meeting and adopted resolution 51/223 by an overwhelming majority. As usual, only Israel and the United States voted against the resolution. Less than 24 hours after that adoption, the Government of Israel officially announced the start of construction work on the new settlements. On 21 March 1997, the Arab Group brought the matter before the Security Council for the second time. A new draft resolution was submitted, and the United States again used its veto.

The facts show again that the Security Council is not capable of fulfilling its responsibility or of using its powers to maintain international peace and security when the hegemonic interests of a permanent member are imposed, and that member uses its veto power arbitrarily and irresponsibly. This is especially significant in cases such as this one, in which there is a genuine threat to international peace and security, global concerns are raised and the issue draws the overwhelming support of the international community.

The bare facts show that the calls for peace and justice of the peoples of the Middle East and the occupied Arab territories are not being heard in the Security Council. The Security Council's capacity to make decisions and take action continues to be held hostage, as a result of the existing imbalance in the composition and structure of that body, to the anachronistic and antidemocratic institution of the veto, to its unrestricted use and to the lack of democracy and transparency of the Council's procedures.

For these reasons, among many others, Cuba, as a State Member of this Organization and of the Non-Aligned Movement, supported the convening of this emergency special session from the outset. The Charter of the United Nations extends broad functions to the General Assembly in the maintenance of international peace and security. It is regrettable that the provisions of the Charter continue to be interpreted in a selective, distorted and restrictive manner that runs counter to the legitimate interests of the membership of the Organization. Nevertheless, the political will of sovereign States has prevailed and, under the resolution entitled "Uniting for peace", the General Assembly is again taking up the cause of the Palestinian people and of all the peoples of the Middle East, thereby defending the feelings of humankind and the legitimate interests of the international community.

Cuba joins in the international community's denunciation and condemnation of the decision made by the Government of Israel on 26 February 1997, as it constitutes a flagrant violation of the basic principles of the peace process in the Middle East and a new and unacceptable challenge to the right of the Palestinian people, and of all the peoples of the occupied Arab territories, to a future of peace.

The renewed demonstration of the aggressive policy of Israel is in violation of international law and of the most basic norms of international humanitarian law, including the Fourth Geneva Convention of 1949 and the Hague Rules of 1907. That decision is in violation of all Security Council resolutions dealing with the nature of the Israeli settlements in the occupied Arab territories. It is also in violation of General Assembly resolutions on the peace process in the Middle East, which are politically and morally binding, as they were adopted by the sole universal organ and the highest political forum of this Organization.

Israel's violation of the Madrid and Hebron agreements jeopardize the peace process in the Middle East and constitute a real threat to international peace and security. Cuba reaffirms and supports the right of the Palestinian people to have its own State, with Jerusalem as its capital. Cuba demands the withdrawal of Israel from all occupied Arab territories. Cuba condemns the building of new Israeli settlements in Jerusalem, because they are an expression of the ongoing aggressive policy of the occupying Power, aimed at altering and modifying, through legislative and administrative actions and measures, the character, legal status and demographic composition of Jerusalem.

Cuba reaffirms that the Israeli settlements in all Arab territories occupied since 1967 are illegal and constitute an obstacle to a just and lasting peace in the Middle East. Cuba condemns Israeli practices in the occupied Palestinian territories, including Jerusalem, as they are in violation of the Fourth Geneva Convention, in particular article 1, which calls for observance of the provisions of the Convention in all circumstances. Cuba calls on Israel to accept the international legal validity of the Fourth Geneva Convention and its applicability to all Arab territories occupied since 1967.

Cuba supports the just and firm position of the Arab countries in the face of the actions of the Government of Israel. Cuba hopes that the General Assembly will assume its responsibility under the Charter for the maintenance of international peace and security and will be equal to the special circumstances that have brought us here today.

Mr. Park (Republic of Korea): Since the early years of this decade it has often been argued, both in this Hall and in the Security Council Chamber, that world politics has entered a new era of greater cooperation and interdependence among nations and freedom from the threat of all-out global war. The United Nations has reflected this change, as is shown by the effective manner in which it has implemented various peacekeeping operations to help defuse conflicts and minimize instability around the globe. Although our membership in this Organization is only six years old, and we have therefore never participated in a session of this nature, it might have seemed to a country like the Republic of Korea that this new post-cold war climate of cooperation and dialogue among nations had ended the need for such an institutional mechanism as the emergency special session of the General Assembly. Unfortunately, that is not the case.

In this regard, it is especially sad that the United Nations membership finds itself having to convene an emergency special session to deal with a problem whose cause is so obvious and whose solution is so clear-cut. Indeed, the General Assembly resolution adopted by an overwhelming majority last month provides a well-defined blueprint for how to resolve the crisis triggered by the Israeli measures in East Jerusalem. In this regard, my delegation cannot emphasize enough that if the solemn calls had not gone unheeded — calls to, among other things, refrain from all actions that alter the facts on the ground, thereby pre-empting the final status negotiations — this emergency special session would not have been necessary. Regrettably, however, the situation has continued unchanged.

My delegation is especially concerned that this seemingly simple issue could deal a fatal blow to the entire peace process, considering the timing of the Israeli measures and the sensitivities involved. As we have already suggested, the resolution of this crisis is totally within the reach of both parties. The settlement activities should cease fully and immediately, and, at the same time, candid and open-ended discussions should begin on all remaining issues. If the appropriate steps are not taken soon, we fear that momentum for the peace process may be irrevocably lost. In this regard, we have every confidence in the wisdom and courage of both the Israelis and the Palestinians, who, in the impressive progress they have made in the peace process so far, have proved their ability to move forward together in a spirit of cooperation and reconciliation.

The Republic of Korea has been a resolute and consistent supporter of the Middle East peace process, and we remain convinced that this is the only path which will be able to make the region more stable and prosperous.

By the same token, the entire international community has followed the ups and downs of the peace process with keen interest, for the situation in the Middle East has weighty political and economic implications not only for the region, but globally as well.

In light of the history of this issue, we also believe that Israelis and Palestinians alike are now presented with a momentous opportunity finally to overcome the animosity and distrust which have plagued their relations for generations. Indeed, if both parties can step back from the heat of conflict and think about what kind of world they wish to leave to their children, it is clear that

the only course on which relations should be set is one towards peace and reconciliation.

In closing, my delegation would like to reiterate the importance of dialogue between the parties and urge both sides to sit down together with new vigour and commitment so that the peace process can be revived and a just, lasting and comprehensive peace in the Middle East, based upon Security Council resolutions 242 (1967) and 338 (1973), can finally be achieved.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): My delegation would like to thank you, Sir, and the Secretary-General for having convened this emergency special session of the General Assembly, because such a session is crucial at this point in time.

My country learned with concern and disapproval of the decision of the Government of Israel to build a Jewish settlement in the heart of Jerusalem, specifically in Jabal Abu Ghneim, planned to contain 6,500 housing units. This decision, taken on 26 February 1997, to build a settlement within the territories confiscated in 1991 and 1992 is aimed at isolating and altering the status of East Jerusalem. Ultimately, it is designed to bolster the illegal Israeli policies in the occupied territories and constitutes a blatant violation of all international resolutions on the maintenance of the status and demographic composition of Jerusalem.

This decision is yet another in a series of provocations, the most recent of which was the opening of a tunnel in the Holy City. It is no secret that such actions aim at creating an illegal situation that will strengthen the occupation and give Israel an edge in the final political settlement. Such a settlement, however, cannot be foremost in the considerations of the current Israeli Government, since it continues to reiterate that Jerusalem is the eternal capital of Israel.

Israel has been denying the Palestinians their historic right to live in their own city. It takes measures to isolate the city from other Palestinian territories, in flagrant violation of many Security Council resolutions on Jerusalem, which clearly stipulate that all legislative and administrative measures taken by Israel in regard to the city are null and void and without legal foundation. All these resolutions have also called on Israel to desist from all measures and actions tending to alter the legal status and demographic composition of the city.

The peace process — which began in Madrid in 1991 on the basis of Security Council resolutions and the formula of land for peace — led to the signing of the Declaration of Principles in 1993 and the Interim Agreement on the West Bank and the Gaza Strip of 1995 between the Palestine Liberation Organization and the Government of Israel. These agreements have all had positive results in the Middle East region. As the benefits of the peace process began to emerge, expectations rose among the peoples of the region and the entire world. Then a new Government took power in Israel, pursuing a policy that negated the peace accords and threatened to undermine and destroy the entire peace process, thus bringing the entire region to the brink of violent eruption.

Israel must recognize that the international situation has changed and that there can be no return to the mentality of occupation and the acquisition of territory by force, which would undoubtedly have dire consequences. The right of self-determination, including that of the Palestinian people, is secured by international covenants, to which Israel adheres. Israel must recognize that its status is precisely the same as that of any other Member State that must respect the rules of international law. It cannot create a specific reality on the ground to advance its expansionist policies. Moreover, the policies of the extremist Israeli Government are not in line with prevailing international relations.

This emergency special session was convened to debate the illegal actions of Israel in Jerusalem and throughout the occupied Palestinian territories. The General Assembly must therefore take adequate measures to compel Israel to desist from taking such actions and any measures tending to affect the status of Jerusalem and to put a halt to the Jabal Abu Ghneim settlement and any other settlement activity.

The State of Bahrain believes that the General Assembly — in order to maintain international peace and security under the provisions of the Charter and to support the peace process, which is threatened with collapse by the Israeli Government's provocative actions — must intervene immediately in order to prevent Israel from pursuing its expansionist and settlement policies and from judaizing the city. Thus, we must all support the draft resolution before the Assembly on this issue in order to put an end to these actions; maintain the viability of the peace negotiations; secure a just, lasting and comprehensive settlement of the Palestinian questions; and put an end to the Israeli occupation of Arab territories in the Syrian Golan and southern Lebanon.

Mr. Al-Sameen (Oman) (*interpretation from Arabic*): To speak of the Holy City of Jerusalem would take too long. I shall not address the sensitive issue of Jerusalem, which is the cradle of holy religions.

We all know that Jerusalem is an Arab city occupied, like other Arab territories, by Israel. In a race against time since 1980, when it took the illegal decision to proclaim Jerusalem its eternal capital, Israel has been trying to impose a de facto situation in order to determine the future of the Holy City. This decision was followed up with measures to judaize and alter the material characteristic of Jerusalem.

Israel is indeed forcing the Palestinian Arabs to leave. It expropriates their lands, destroys their houses and, under various pretexts, prevents the building of new housing. At the same time, it has built thousands of housing units for Jewish settlers.

The peace process is in danger of collapsing under the blows of irresponsible Israeli practices. The situation in the occupied territories is getting worse, and nothing good is in store. Israel has decided to build a settlement at Jabal Abu Ghneim in East Jerusalem. This was condemned in March of this year by General Assembly resolution 51/223 when it proved impossible for the Security Council to adopt a draft resolution because of the veto by the United States.

The city of Jerusalem is an integral part of the Palestinian territories occupied since 1967. Everything that applies to the other Palestinian territories is also applicable to it, in accordance with the relevant resolutions of the international community, in particular Security Council resolutions 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), and General Assembly resolution 51/223 of 1997, the Assembly's most recent on this issue.

All these Israeli practices can be interpreted as nothing other than an Israeli rejection of international peace efforts. Israel defies all these efforts, including the relevant resolutions.

I recall too that the Oslo and Taba agreements provided that the questions of Jerusalem, settlements, refugees, borders, military zones and Palestinian water rights would be discussed at the final stage of the negotiations, a stage which was to have begun on 4 May 1996.

Oman reaffirms its solidarity with the Palestinian people. It supports the position of the Palestinian National Authority with regard to the complete withdrawal of Israeli forces from all Palestinian territories occupied since 1967. The Palestinian National Authority must get control over all its territories, including Jerusalem. The Sultanate of Oman calls upon Israel to respect international resolutions, to refrain from building the new settlement at Jabal Abu Ghneim and from taking any measures aimed at changing the legal, political, geographical or historical character of Jerusalem, and to respect all the agreements it has entered into with the Palestinian National Authority.

The Sultanate of Oman endorses all Arab resolutions adopted since the 1997 Cairo summit and the resolution adopted on 31 March 1997 by the Council of Ministers of Arab States. We support them, just as we support the resolutions of the Islamabad summit of the Organization of the Islamic Conference.

Mr. Saliba (Malta): I would first like to thank the President for convening this emergency special session. The convening of this emergency special session is in itself a reminder of the commitment of the international community to international peace and security. It reaffirms the understanding of the permanent responsibility of this Organization with regard to the question of Palestine. It is even more crucial because it underpins the desire of the international community once again to instil confidence into the Middle East peace process.

The item under consideration has been a focus of attention for some time. The various organs of this Organization have grappled with it. Member States of the United Nations have pronounced themselves on different occasions and have demonstrated their concern with respect to developments in the Middle East. Notwithstanding such pronouncements, activities on the ground have continued to evolve.

The events which urged us to convene this session cannot be viewed in a vacuum. Their implications are not to be assessed solely as events impacting on a particular side or region. It is the thwarting of efforts to build peace and the actions which threaten to cut off a process that only recently took root that will have to be assessed by the international community.

The Middle East has been blessed with hope for a different future, one in which communities and

generations can live together in confidence and mutual trust. We witnessed positive developments with the recent Hebron agreements, which were a signal of the parties' willingness to build peace. The construction of new housing units in the Jabal Abu Ghneim area of East Jerusalem stands in stark contradiction to this spirit, and is deplorable. It has led to a spiral of violence and has reversed the delicate process of confidence-building that had until recently been the hope upon which the Palestinian and Israeli communities envisaged a future.

Actions that seek to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, can be interpreted as contravening relevant Security Council and General Assembly resolutions, as well as the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. The status of East Jerusalem remains subject to the principles set out in Security Council resolution 242 (1967), notably that of the inadmissibility of the acquisition of territory by force.

As stated by my Deputy Prime Minister during the Euro-Mediterranean ministerial conference held last week in Malta, the Middle East peace process is passing through a most critical and delicate phase. He said that, whereas the Euro-Mediterranean partnership should not intrude directly in the peace process, it could contribute to its progress by finding how best to act in the spirit of the Barcelona understanding. It is the hope of my Government that the contacts made and the understandings reached during that event between the political leaders of the parties concerned will help to establish a basis for the renewal of the Middle East peace process.

Respect for the principles of international law and for the principles to which the parties have agreed in the peace process are crucial if a just and long-lasting solution to the question of Palestine is to be achieved.

Malta joins others who have called on the leaders in the region and beyond for a recommitment to the objectives of peace. It is through the committed courage of leaders that peoples may come to reap the benefits of peace, a peace which we augur can become a reality for the generations of Israelis and Palestinians who have lived under the shadow of mistrust for far too long.

The Government of Malta joins the international community in calling for the immediate and full cessation of construction in Jabal Abu Ghneim and other Israeli settlement activities and of illegal measures and actions in and around Jerusalem that militate, in one way or another, as a result of fact or through perception, against the general thrust of the peace process.

Mr. Farhadi (Afghanistan) (*interpretation from French*): This emergency special session of the General Assembly is as essential as the other sessions of this nature that have been convened at intervals over a period of many years, always for one and the same reason: a dangerous situation in the Middle East. On this occasion the circumstances are even more serious, because the peace process — so difficult to launch and still so very fragile — has been dangerously compromised.

Allow me to recall a historic emergency session in 1967. As a member of the delegation of Afghanistan, I took the floor in this very Hall to explain how much Jerusalem means to the world's Muslims. Mr. Abba Eban, the Israeli Minister, assured the Assembly that the spiritual rights of the Muslims and the Christians would be respected. But what has happened since then has run counter to Mr. Abba Eban's famous promises — hence the situation we find ourselves in now.

The question of Jerusalem is not simply a Palestinian or an Arab issue but essentially an Islamic one. Let us recall that Islam is an Abrahamic religion. The Holy Koran says that Jerusalem is the eternal spiritual capital of all Muslims and of all believers throughout the world. As regards the Christians and Jerusalem, many of our colleagues here have already read the statement by His Holiness the Pope as well as other Christian statements.

Three years ago, the international community believed that the parties to the conflict were in agreement concerning the basic principles underlying the land for peace formula. Today, however, it is concerned because its desire for a just, lasting and comprehensive settlement to the Middle East conflict is being thwarted, opposed by the Power that is occupying the Palestinian territories. The current crisis was born of the Israeli Government's decision to begin building a settlement in the Jabal Abu Ghneim suburb, south-east of Jerusalem, which constitutes a flagrant violation of the agreements concluded within the framework of the peace process and of the relevant United Nations resolutions, and can only aggravate an already dangerous situation.

Indeed, a large part of Palestinian territory continues to be occupied. Arab Jerusalem is still occupied, and the

occupying Power is doing everything it can to destroy the Arab nature of Jerusalem. Armed settlers in the occupied territories are encouraged to believe that the land where they are living has belonged to them for 2,000 years. The situation is deteriorating because of the frequent border closures and other intolerable unilateral measures, which undermine the foundations of peaceful coexistence.

Despite the technical inability of the Security Council to adopt a resolution on the current crisis, one fact is already established: Security Council resolutions 252 (1968) and 476 (1980) clearly and firmly indicate that any such measures taken by Israel in Jerusalem are illegal and therefore null and void.

Historical experience has shown clearly that those who do not respect the principle of the inadmissibility of the acquisition of territory by force are not on the path to peace. Those who intransigently persist in building settlements in their neighbours' territories — territories that were occupied following a war of aggression — will always face the resistance of the peoples living in those occupied territories, which they justly regard as belonging to them.

Those who do not fear the repercussions of their own unilateral acts will face recurring conflicts in both the short and the long term. Those who do not resolutely try to avoid a cycle of violence and hatred will never muster the strength to overcome the consequences of their disregard for the practical conditions necessary for coexistence and peace. Those who ignore the requirements for a peaceful and fair settlement, or the legitimate demands and rights of peoples living under occupation, clearly do not care about peace or security in the region or about the future of the peace process.

Those who do nothing to build confidence and instead carry out acts that destroy all hopes of peace will never know peaceful coexistence with their neighbours.

Building these settlements means destroying the foundations of peace. The international community will never agree to cast aside the principle of a negotiated solution based on Security Council resolutions 242 (1967) and 338 (1973).

The world calls upon the occupying Power to put an end to the policy of colonization, and to put an end to unilateral measures and machinations intended to destroy the Arab nature of Al-Quds Al-Sharif. We hope that a draft resolution will be submitted tomorrow morning, will be studied and will be adopted by the Assembly.

The Acting President: I should like to inform members that, in connection with this item, a draft resolution, under the symbol A/ES-10/L.1, is now available at the documents counter at the back of the General Assembly Hall.

Mr. Shah (India): When I spoke in the General Assembly last month, we did not think that I would so soon be speaking again on the issue of Palestine. Once again, the General Assembly is meeting because the Security Council has been stalemated by the use of the veto. Once again, the highest political body of the United Nations, the General Assembly, has had to convene to take a decision on an important issue involving peace and security.

At the recent XII Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi, which concluded just a little over two weeks ago, the Non-Aligned Movement member countries had the privilege of hearing President Arafat in a special session of the ministerial conference, give a detailed presentation on the state of the peace process in the Middle East and the implications of the construction of the settlement by Israel at Jabal Abu Ghneim to the south of East Jerusalem.

The Ministerial Conference also adopted a communiqué on Palestine. It emphasized that collective and effective measures must be taken immediately at the United Nations to address the problems caused by the failure of the Security Council to discharge its responsibilities because of the unfortunate lack of unanimity among the permanent members. It is in pursuance of that proposal that we are meeting today in this emergency special session.

The final communiqué adopted by the Non-Aligned Ministerial Conference in New Delhi addressed the persistence of the Government of Israel in its policies of establishing Jewish settlements in the occupied Palestinian territory and enlarging existing ones. The communiqué declared these activities to be illegal and in violation of the relevant international resolutions, and to be a breach of contractually binding agreements, commitments and guarantees between the parties concerned.

While supporting the ongoing peace process, the ministers expressed their grave concern that the Government of Israel had failed to abide by its obligations and by its commitment to implement the terms of the agreements according to the agreed

timetable. The ministers also expressed concern that Israel had failed to respect and carry out the relevant decisions of the Security Council.

It is necessary that Israel cease the construction of its new settlement in Jabal Abu Ghneim to the south of East Jerusalem. As I had occasion to state in this Assembly last month, my Government has consistently maintained, and we continue to maintain, that unilateral steps that are not in conformity with past agreements and understandings will hinder the Middle East peace process and vitiate the atmosphere needed to build the mutual confidence that is essential if the peace process is going to make progress.

It is our sincere hope that Israel will soon realize the strength of international opinion, which cuts across the continents, and take the necessary action to put the peace process back on track. What is most important at this point in time is for the international community to continue to make an all-out effort to restore the Middle East peace process, and for all parties concerned to intensify their efforts to find a just, comprehensive and lasting peace in the region. The need of the hour is to restore and build mutual confidence.

Any steps that derogate from these objectives must be halted. It is the hope of my delegation that the message that will emerge from this emergency special session is that the international community is committed to the success of the peace process in the Middle East, which entails, *inter alia*, the Palestinian people achieving their legitimate rights, and all States in the region living within internationally recognized boundaries.

Scale of assessments for the apportionment of the expenses of the United Nations (*continued*)

The Acting President: I should like to inform members that since the announcement made this morning concerning document A/ES-10/3, the Secretariat has informed me that Mauritania has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly takes note of this information?

It was so decided.

The Acting President: This information will be reflected in the final version of document A/ES-10/3.

The meeting rose at 6.35 p.m.